

REMARKS

Applicants note that claim 23 was not amended to overcome prior art but to correct typographical mistakes. Applicants agreed to enter the Examiner's proposed amendment submitted on December 22, 2004 except without including the term "central" prior to the phrase "processing unit." The Examiner agreed to not include the term "central" prior to the phrase "processing unit." Claim 23 as currently written in the Examiner's Amendment does include the term "central" prior to the second usage of the phrase "processing unit." Consequently, Applicants amended claim 23 to delete the term "central" prior to the second usage of the phrase "processing unit." Further, Applicants amended claim 23 by inserting a colon instead of a comma and deleting an extra usage of the term "memory". Hence, these amendments made to claim 23 were not narrowing in scope and therefore no prosecution history estoppel arises from the amendments to claim 23. *Festo Corp. v. Shoketsu Kinzoku Kogyo Kabushiki Co.*, 62 U.S.P.Q.2d 1705, 1711-1712 (2002); 56 U.S.P.Q.2d 1865, 1870 (Fed. Cir. 2002). Further, the amendments made to claim 23 were not made for a substantial reason related to patentability and therefore no prosecution history estoppel arises from such amendments. *See Festo Corp.*, 62 U.S.P.Q.2d 1705 at 1707 (2002); *Warner-Jenkinson Co. v. Hilton Davis Chemical Co.*, 41 U.S.P.Q.2d 1865, 1873 (1997).

As Applicants presently have not yet made payment of the Issue Fee and no new matter is added by this Amendment, it is respectfully submitted that the foregoing amendment is proper subject matter for this Section 312 Amendment.

The Commissioner is hereby authorized to charge any insufficiency of payment of the necessary fees associated with this communication, or credit any overpayment, to Deposit Account No. 09-0447 in the name of IBM Corporation.

Applicants respectfully request that the Examiner call Applicants' attorney at the below listed number if the Examiner believes that such a discussion would be helpful in resolving any remaining issues.

Respectfully submitted,

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